

JULY 21, 1978

ITALY: THE SILLY SEASON

ANNCR: AFTER A GENERALLY RAINY AND COOL SPRING, THE SUN HAS BROKEN OUT OF THE CLOUDS OVER ITALY. MOST PEOPLE HAVE LEFT FOR THE BEACHES. BUT NOT EVERYBODY, AND SOME OF THOSE WHO HAVE STAYED BEHIND ARE SUCCUMBING TO WHAT MIGHT BE CALLED THE SILLY SEASON. VOA'S CORRESPONDENT, DAVID LENT, HAS THIS REPORT ON ONE SUCH INCIDENT.

VOICE: A MAGISTRATE IN FERRARA HAS STRUCK A DECISION FOR SANITY. HE HAS RULED, AND I EXAGGERATE NOT, THAT IT IS NO CRIME TO CARESS A WOMEN AFFECTIONATELY IN PUBLIC, EVEN ON THAT PART OF HER ANATOMY WHICH THE FRENCH CALL THE DERRIERE. THIS RULING MIGHT NOT STRIKE THE LISTENER AS A LANDMARK DECISION FOR CIVIL RIGHTS. BUT TO A YOUNG MAN IN THE NORTHEASTERN ITALIAN CITY OF FERRARA, IT REDUCED HIS SOJOURN IN JAIL TO ONLY A DAY AND A HALF.

TWENTY-SIX YEAR OLD FRANCESCO CURTI FELL AFOUL OF THE LAW ONE RECENT EVENING BY -- AND HERE I QUOTE THE POLICE CHARGE -- HAVING PATTED GENTLY AND REPEATEDLY, IN PUBLIC, HIS PRETTY FIANCE, TWENTY-THREE YEAR OLD DONATELLA VASSALLI. SHE WAS CARRYING A PLATE OF WATERMELON, AND PERSISTED IN TALKING WITH A FRIEND ON THE FRONT STEPS OF HER HOUSE. HE URGED HER TO END THE CONVERSATION SO THEY COULD EAT. HIS URGING CONSISTED OF THE PATTING, WHICH THE FRIEND LATER DESCRIBED AS "SPONTANEOUS, NATURAL, I WOULD EVEN SAY AFFECTIONATE."

THAT'S NOT THE WAY A POLICE OFFICER, MARIO DI BATISTA, SAW IT. HE SUMMONED FRANCESCO INTO HEADQUARTERS NEXT DOOR AND CHARGED HIM WITH COMMITTING OBSCENE ACTS IN PUBLIC.

VOICE: FRANCESCO'S PROTESTS AVAILED FOR NAUGHT, AND HE ENDED UP IN
(CONT'D) HANDCUFFS AND BEING ESCORTED BY TWO STURDY POLICE OFFICERS
INTO FERRARA'S JAIL.

TO THE RESCUE, CAME MAGISTRATE CAVALLO. HE INVESTIGATED THE
CHARGES NEXT MORNING AND SET FRANCESCO FREE ON BAIL AND
SCHEDULED A TRIAL FOR THE FOLLOWING DAY. FRANCESCO'S
LAWYER, ADVOCATE BOLOGNESE, MADE SOME STIRRING POINTS
WHICH CARRIED THE DAY FOR FRANCESCO AND FOR OTHERS WHO MAY
IN ALL INNOCENCE, EVEN FORGETFULLY, COMMIT THE SAME ACT IN
PUBLIC THAT LANDED FRANCESCO IN JAIL.

ADVOCATE BOLOGNESE POINTED OUT THAT IN THIS DAY AND AGE WE
LIVE IN A SOMEWHAT MORE RELAXED ATMOSPHERE THAN IN DAYS OF
YORE. HE POINTED OUT THAT HIS CLIENT, A YOUNG MAN HELD IN
HIGH ESTEEM, SPENT A DAY AND A HALF IN JAIL AND HE DID NOT
KNOW WHY. AND HE CONTENDED THAT EVEN HAD HIS CLIENT COMMITTED
THE GESTURE AS DESCRIBED BY POLICE OFFICER DI BATISTA,
INSTEAD OF HAVING INDULGED IN ONLY AN AFFECTIONATE CARESS,
HE WOULD NOT HAVE OFFENDED THE COMMON SENSE OF MODESTY
AS REQUIRED BY THE OBSCENITY LAW. "WE ARE ALL YOUNG,"
ADVOCATE BOLOGNESSE TOLD THE MAGISTRATE. THE DEFENDANT, THE
LAWYER, EVEN YOU, YOUR HONOR. LET'S PUT A QUICK END TO
THIS AFFAIR IN A CIVIL MANNER."

THE ARGUMENT WAS TELLING. IN JUST TWO MINUTES, MAGISTRATE
CAVALLO ACQUITTED THE HAPLESS FRANCESCO AND, MORE IMPORTANTLY,
HE ESTABLISHED THE PRECEDENT, SO IMPORTANT IN THESE BALMY
DAYS OF SUMMER. IT IS NOT A CRIME TO CARESS A WOMAN
AFFECTIONATELY, EVEN ON THAT PART OF HER ANATOMY THAT
SCANDALIZED POLICE OFFICER DI BATISTA. ALL'S WELL THAT ENDS
WELL.